

**THE LAW SOCIETY OF MANITOBA**  
**ADMISSIONS AND EDUCATION COMMITTEE (APPEALS SUB-**  
**COMMITTEE)**

IN THE MATTER OF:            **MUHAMMAD YASIR ABDULLAH,**  
Appellant

- and -

IN THE MATTER OF:            **A DECISION OF THE DEPUTY CHIEF**  
**EXECUTIVE OFFICER, THE DIRECTOR OF**  
**ADMISSIONS AND MEMBERSHIP**  
Dated August 6, 2025

*Appeal pursuant to the Law Society Rule 5-28*

PANEL:                        Jason Gisser, Chairperson  
                                     Clair Cerilli, Practising Member  
                                     Sandra Oakley, Public Representative

HEARING DATE:            November 19, 2025

**REASONS FOR DECISION**

**I. Introduction and Background Facts**

1.     Muhammad Yasir Abdullah (“the Appellant”) is 37 years of age, and currently residing in Stoney Creek, Ontario.

2. The Appellant is originally from Pakistan. He obtained a Bachelor of Arts from the University of Lahore in 2012, and a Bachelor of Laws from the University of the Punjab in 2015, both in Lahore, Pakistan. He was called to the Punjab Bar Council in 2016, and practiced law in Lahore, Pakistan until February 2019. The Appellant then began to pursue a legal career in Canada.
3. Between May 2019 to January 2021, the Appellant was enrolled as a National Committee on Accreditation (“NCA”) student at York University. In 2020, he obtained a Masters in Laws from York University (Osgoode Hall Law School) in Toronto, Ontario. The Appellant obtained his Certificate of Qualification in March 2021.
4. In December 2020, the Appellant applied to the Lawyer Licensing Process of the Law Society of Ontario (“LSO”). After receiving his NCA Certification, the Appellant began using a tutoring service called NCA Exam Guru (“NEG”) to help prepare himself for the LSO bar admissions/licensing examinations. In using NEG as his tutor, he also became a member of several of NEG’s social media groups, including the Facebook, Whatsapp, and Skype groups.
5. As a candidate for licensure with the LSO, the Appellant was subject to several rules and regulations, including the *Law Society Act*, the LSO By-laws, the LSO Licensing Process Policies, the *LSO Rules and Protocol for Licensing Examinations*, and a declaration signed as part of the licensing registration process. In addition, prior to taking a licensing examination (the solicitor’s or barrister’s examination), the Appellant (like all candidates taking an LSO licensing examination) was required to agree to a Candidate Agreement, which is a legal

agreement between the LSO and the candidate which includes a number of terms and conditions. The LSO refers to all of these documents, rules, and regulations as the “Applicable Rules”.

6. The Candidate Agreement requires a candidate taking an LSO licensing examination to not engage in any form of “dishonesty, fraud, cheating, misrepresentation, or other misconduct”. This includes, but is not limited to, obtaining examination content in advance (including any inaccurate content), as well as failing to advise the LSO immediately should they become aware that others are inappropriately accessing examination content. Such actions are considered “Prohibited Actions” which a candidate taking an LSO licensing examination shall not commit, pursuant to Section 7 of the LSO’s *Rules and Protocol for Licensing Examinations*. Examination content, pursuant to the Candidate Agreement, is said to include “topics, questions, scenarios, fact patterns, cases, correct answers, incorrect answers, and information contained in an examination (including information that is imprecise, inaccurate, or amended in some fashion)...”.
7. Section 14(2) of the LSO’s By-Law 4 states: “A person who makes any false or misleading representation or declaration on or in connection with an examination application, by commission or omission, is deemed thereafter not to meet, and not to have met, the requirements for taking a licensing examination and, subject to subsection (3), the successful completion of any licensing examination taken by the person is deemed thereafter to be void.”
8. Section 18(2) of By-Law 4 states: “A person who makes any false or misleading representation or declaration on or in connection with registration, by commission or omission, is deemed thereafter not to meet, and not to have met, the requirements

for registration, the person's registration is deemed thereafter to be void, the successful completion of any licensing examination taken by the person is deemed thereafter to be void, the successful completion of any professional conduct course conducted by the Society taken by the person is deemed thereafter to be void and any service under articles of clerkship is deemed thereafter to be void."

9. Collectively, Sections 14(2) and 18(2) state that a candidate for a licensing examination who makes a false or misleading representation will have their examination result and licensing registration voided.
10. In late 2021, LSO licensing examinations were being conducted remotely due to the ongoing COVID-19 pandemic. Candidates had to book a date and time to write the examination. The Appellant, while in Pakistan, completed the LSO solicitor's examination remotely on November 18, 2021, and received a score of 93.07%.
11. In the months which followed November 2021, the LSO received four "cheating keys", which were documents which included examination answers, often with no corresponding questions. The cheating keys corresponded directly to the November 2021 licensing examinations. The LSO also became aware that the cheating keys had been distributed to students in advance of the November 2021 examinations via the NEG social media groups. It obtained copies of conversations in different NEG Facebook, Whatsapp, and Skype groups where the cheating keys were discussed and/or distributed, and where some members of these online groups provided contact information in order to facilitate access to the cheating keys. It also obtained copies of email correspondence from an individual named Arun Vikas to students, in which unauthorized examination content was discussed and

distributed. Some students also admitted to the LSO that they received, or were given access to examination content via NEG.

12. As a result of these discoveries by the LSO, the LSO retained a forensic testing provider called Caveon Test Security (“**Caveon**”) to assist with an investigation. Caveon analyzed the results of the November 2021 barrister and solicitor examinations to identify potential instances of cheating, collusion, and/or fraud.
13. At the same time as the LSO investigation had been commenced, and as a result of the LSO examination incident, the LSO directed (as of April 8, 2022) that another investigation be commenced by external counsel into the Appellant’s character, focusing on his conduct in relation to the solicitor’s examination and whether he accessed examination content prior to the examination.
14. Caveon provided its Data Forensic Report to the LSO on June 23, 2022. Caveon found that there had been widespread use of unauthorized examination content for both the barrister’s and solicitor’s examinations in November 2021. As noted in a letter from the LSO to the Appellant in a letter dated July 14, 2022, “Caveon recommended score invalidation if a candidate exhibited extreme similarity in their responses to at least one other candidate, identical responses to at least one other candidate that were extremely unusual, or if a candidate was at least 100 times more likely than not to have used a known unauthorized source on either of the two parts of the examination.”
15. Based on Caveon’s analysis, it recommended that the Appellant’s solicitor’s examination result be invalidated because of the high degree of similarity of his responses in Part Two of the solicitor’s examination to a specific group of other

candidates, and the high degree of similarity of his responses in Part Two of the examination to a collection of improper examination materials, which are referred to by the LSO and Caveon as the “18-21 cheating keys” .

16. In particular, Caveon made the following analysis of the Appellant’s examination, as included in a letter from the LSO to the Law Society of Manitoba (the “LSM”), dated June 19, 2025:

“With respect to the Appellant, he wrote the solicitor examination on the third day of the examination writing. His result was flagged by Caveon in relation to Part 2 of the examination as follows:

- **Solicitor Part 2**

- **Flawed key analysis:**

- Log-likelihood ratio of 2.30 re 18-21 Cheating Key: This translates to it being 199 times more likely that the Applicant obtained his result by relying on the 18-21 Cheating Key than by responding independently.

- **The M4 similarity statistic:**

- Cluster index value of 34.27: This translates to the Applicant’s scores being so similar to a cluster of other candidates that there is only a chance of one in over a thousand quintillion of observing the result under assumptions of independent test taking.

17. As a result of this finding by Caveon, the Appellant was advised by letter from the LSO dated July 14, 2022, that the LSO had “determined that the evidence obtained to date strongly supports the conclusion that you breached the Applicable Rules by engaging in prohibited actions regarding the November 2021 licensing examinations”. In a letter from the LSO to the Appellant dated August 31, 2022, the Appellant was informed that his examination result had been voided by LSO, as was his registration in the LSO licensing process, with a prohibition that he could not re-register for the licensing process for one (1) year from the date of the letter. The Appellant was advised in that letter of his right to request a review of the decision, but he ultimately chose not to do so.

18. Because the Appellant had been removed from the LSO licensing process, the investigation into the Appellant’s character was closed. However, the LSO advised the LSM via letter dated June 19, 2025, that the investigation was re-opened because the Appellant has now reapplied for licensure, and the investigation remains ongoing. On May 13, 2025, the Appellant was advised by the LSO that, once he completes all required qualifications for licensing, a decision would be made as to the next steps of the investigation.

19. In May 2025, the LSM received an application from the Appellant for admission as an articling student in Manitoba. In this application, the Appellant disclosed his involvement in the LSO examination incident. Following that disclosure, the LSM sought further information from the LSO regarding this situation and the Appellant’s involvement. The LSM also requested to interview the Appellant, and did so on July 22, 2025 at the LSM Offices.

20. The July 22, 2025 interview involved the LSM Deputy Chief Executive Officer at the time, Ms. Rennie Stonyk, the LSM Director of Competence, Ms. Joan Holmstrom, and the Appellant. During the meeting, the Appellant took the position that he did not receive or use any of the unauthorized examination materials. While he admitted to being a member of the NEG social media groups, the Appellant claimed to have used those groups only to receive tutoring class scheduling information. Handwritten notes taken by Ms. Holmstrom at the July 22, 2025 interview state that the Appellant noted that “he is astonished with respect to results from LSO,” and that “he’s not sure what happened”.

21. When asked during the July 22, 2025 about why he did not request a review of the LSO’s decision, Ms. Holmstrom’s handwritten notes state that the Appellant replied: “didn’t request review, didn’t want to go against LSO because they are watchdogs...because respected as regulator...doesn’t accept their [LSO’s] decision that he accessed material...accepts LSO’s findings about [NEG] but not about him specifically...still decided not to request a review because he respects LSO as a regulator but didn’t want to go against them....didn’t want to put energy in fighting them.”

22. Via letter dated August 6, 2025 from Ms. Stonyk to the Appellant, the Appellant was informed of the LSM’s decision regarding his application for admission as an articling student. In this letter, the LSM advised that it had concluded that the Appellant had “cheated on the November 2021 LSO solicitor’s examination by obtaining from NEG, and using, the cheating key”. Ms. Stonyk also informed the Appellant that the Caveon forensic analysis found that the Appellant’s test results closely matched the cheating key as well as incorrect components of the cheating key. The LSM’s conclusion as to the cheating was made “based on Caveon’s

forensic analysis, based on the extensive investigation conducted by the LSO and by [the Appellant's] failure to challenge such findings," as well as because the Appellant continued to deny his "dishonest conduct" at the time of writing of the solicitor's examination and for failing to take responsibility for his actions. On that basis, the LSM concluded that the Appellant failed to meet the good character requirement in November 2021.

23. In order to obtain admission as an articling student, an applicant must prove that they are of good moral character, pursuant to LSM Rule 5-4(1)(a)(iii).

24. As a result of the LSM's conclusions, the Appellant's application for admission as an articling student was denied, though he was advised of his right to appeal pursuant to LSM Rule 2-58(1).

25. On August 16, 2025, the Appellant filed his notice of appeal. The Appellant requested that his appeal hearing not be an oral one. An appeal hearing was originally set for October 8, 2025; however, the Appellant was permitted additional time to submit his appeal materials, which then necessitated a rescheduling of the hearing to October 29, 2025 to permit additional time for Counsel for the LSM, Ms. Ayli Klein, to submit their materials. Following the submission of the LSM's materials, the Appellant requested leave to submit a response, which was granted by the Appeal Panel. Ms. Klein, was also permitted to submit a response. The hearing was therefore rescheduled to November 19, 2025.

## **II. Materials Before the Appeals Sub-Committee**

- a. Notice of Appeal of Muhammad Yasir Abdullah, submitted August 16, 2025;
- b. Written Submission of Muhammad Yasir Abdullah, submitted October 6, 2025;
- c. Written Submission and Authorities of the Law Society of Manitoba, submitted October 17, 2025;
- d. A four (4) page Reflection Letter of Muhammad Yasir Abdullah, submitted November 5, 2025;
- e. A three (3) page Additional Submission of Muhammad Yasir Abdullah, submitted November 5, 2025;
- f. Letter from Ms. Ayli Klein, Counsel for the Law Society of Manitoba to the Appeal Panel, dated November 12, 2025;
- g. A three-inch binder of materials entitled “Record”;
- h. Reference Letter, undated, from Daanish Javed
- i. Reference Letter, dated September 22, 2025, from Muhammad Asadullah;
- j. Reference Letter, dated September 25, 2025, from Ali Zeeshan Haider;
- k. Reference Letter, dated September 25, 2025, from Naeem Tareen;
- l. Reference Letter, dated October 31, 2025, from Chaudhary Faisal Ilyas.

26. The Appeal Panel did note that the LSO made its disclosure of documentation to the LSM on June 19, 2025 via a Zip file included on an online platform called ShareFile. The LSM advised the Appeal Panel that all relevant documentation from that Zip file was provided to the Appeal Panel, and that certain materials, such as documentation from Caveon interviews with other witnesses, were not included. The Appeal Panel notes that the LSO included in the June 19, 2025 letter to the LSM, summaries of the relevance of each witness and the material that they

received from them. Therefore, the Appeal Panel is satisfied that it had all of the relevant available evidence before it.

### **III. Relevant Excerpts from *The Legal Profession Act* and the *Law Society Rules***

#### ***The Legal Profession Act* (“the Act”)**

##### **Purpose**

**3(1)** The purpose of the society is to uphold and protect the public interest in the delivery of legal services with competence, integrity and independence.

##### **Duties**

**3(2)** In pursuing its purpose, the society must

- (a) establish standards for the education, professional responsibility and competence of persons practising or seeking the right to practise law in Manitoba; and
- (b) regulate the practice of law in Manitoba.

##### **Rules are binding**

**4(6)** The rules are binding on the society, the benchers, the members and everyone who practises or seeks the right to practise law under the authority of this Act, other than Part 5 (representation in highway traffic matters).

##### **Qualification for membership**

**17(2)** No person may become a member or be reinstated as a member unless the benchers are satisfied that the person meets the applicable membership requirements.

## **Rules about membership and authority to practise**

**17(5)** The benchers may make rules that

- (b) establish requirements, including educational and moral requirements, and procedures for admitting persons as members, which may be different for different categories of membership;
- (c) govern the admission program for articling students;

## ***Law Society Rules (“the Rules”)***

### **Application for admission as an articling student**

**5-4(1)** Subject to rule 5-4.1, an applicant for admission as an articling student must,

- (a) provide proof that he or she:
  - (iii) is of good moral character and a fit and proper person to be admitted

### **Approval of applicants**

**5-4(2)** The Chief Executive Officer may admit a student who applies under subsection (1) or refuse to admit or impose conditions or restrictions on the applicant’s admission.

### **Appeal of admissions decisions**

**5-28(1)** Subject to subsection (8), a decision of the chief executive officer made pursuant to the rules in this division may be appealed to the committee by the completion and filing of the required notice of appeal within 14 days of receipt of written confirmation of the decision and the right to appeal. The appeal process will be governed by guidelines adopted by the benchers.

## **Decision of panel**

**5-28(7)** The panel may dismiss the appeal, make any decision the chief executive officer could have made, or allow the appeal with or without conditions. A decision of the panel is final, except a decision to refuse to issue a practising certificate or a practising certificate free of conditions, which decision may be appealed to the Court of Appeal pursuant to section 76 of the Act.

## ***Good Character and Fitness to Practice Guidelines for Applications Under Rules 5-4, 5-24(2), 5-28.1 and 5-28.2***

Candidates applying for admission as an articling student, seeking permission to resume active practice, or admission to the Manitoba Bar must disclose the following:

- (a) all convictions for crimes or other offences under any statute, regulation or law, except convictions under The Highway Traffic Act, The Liquor Control Act, or municipal by-law, unless there are four or more violations or a term of incarceration;
- (b) any conviction or finding of liability as a result of breach of trust, fraud, perjury, immorality, dishonourable conduct, misrepresentation, dishonesty or undue influence in any civil, criminal or administrative proceeding;
- (c) any order made against the candidate regarding institution of vexatious proceedings or vexatious conduct of a proceeding, pursuant to s. 73(1) of The Court of King's Bench Act, or such similar legislation as may be in effect in any other Canadian jurisdiction;
- (d) any suspension, disqualification, censure or disciplinary action imposed as a member of any profession or organization; and,
- (e) denial or revocation of any licence requirement, the procurement of which required proof of good character.

The Law Society may consider other information which, though not strictly fitting within the categories above, might constitute behaviour coming under Rules 5-4, 5-12(1), 5-17(1), 5-24(2) and 5-28.2 such as conduct which demonstrates or indicates an attitude of disrespect or abusiveness of the court and its processes.

Any such disclosures by a candidate or other relevant matters otherwise learned of by the Law Society will establish a rebuttable presumption that a candidate is not of good character and a fit and proper person under Rules 5-4, 5-24(2), 5-28.1 and 5-28.2. In considering whether such a presumption has been rebutted by the candidate, the Law Society may have regard to the following:

1. the applicant's candour, sincerity and full disclosure in the filings and proceedings as to character and fitness;
2. the materiality of any omissions or misrepresentations;
3. the frequency and recency of the conduct or behaviour disclosed that gives rise to the presumption;
4. the applicant's current attitude about the subject of their disclosure;
5. the applicant's subsequent constructive activities and accomplishments;
6. evidence of character and moral fitness including the reasonably informed opinion of others regarding the applicant's present moral character; and
7. in light of the entire record of the applicant, whether admission of the applicant would adversely affect the confidence of the public in the legal profession in Manitoba as an honourable, ethical and competent profession.

#### **IV. Standard of Review**

27. In his two submissions (which shall be referred in this decision as the "Submission" and the "Additional Submission"), the Appellant does not comment on the standard

of review for this appeal. Ms. Klein, in her Submission at Paragraphs 30-31, states that the standard of review in these types of decisions has historically been “one which falls between a standard of correctness and a hearing afresh or ‘de novo’,” citing *Sahota v. Law Society of Manitoba* 2018 MBLS 5, Paragraph 38. Indeed, this was also reflected in *Bergen v. Law Society of Manitoba* 2016 MBLS 15, Paragraph 39. Ms. Klein also states that no special deference should be afforded to the LSM’s decision to deny the Appellant admission as an articling student.

## **V. Issues**

28. The only issue on appeal is whether the Appellant ought to be granted admission as an articling student in Manitoba. In addressing this issue, the Appeal Panel must refer to the LSM’s *Good Character and Fitness to Practice Guidelines for Applications Under Rules 5-4, 5-24(2), 5-28.1 and 5-28.2*. This is because, in applying for admission as an articling student, the Appellant disclosed his involvement in the LSO incident and investigation on his application. Such a disclosure establishes a “rebuttable presumption that a candidate is not of good character and a fit and proper person under Rules 5-4, 5-24(2), and 5-28.2”.

### **Position of the Appellant**

29. The Appellant has appealed the decision of the LSM, dated August 6, 2025, on the basis that the decision “is unreasonable, erred in law, breaches the principle of procedural fairness, and is unsupported by the evidence” (Page 3, Section 2 of the Appellant’s Submission). He also appeals on the basis that the decision “misapplies the legal test for good character, ignores Charter values, and equates

administrative sanctions intended for exam integrity with dishonesty” (Page 3, Section 3 of the Appellant’s Submission).

30. The Appellant argues that the LSM erred in law in its reliance on the forensic similarity of the Caveon analysis, in its reliance on the evidence of the Appellant being a member of all of the NEG social media groups without other corroborating evidence, in equating the administrative sanctions of the LSO with a finding that he has failed to meet the good moral character requirement, and in failing to consider his conduct, accomplishments, and character in the years following the November 2021 LSO solicitor’s examination.
31. The Appellant also argues in his Submission that the LSM committed a procedural error in equating his failure to appeal the LSO’s decision with a finding of intentional wrongdoing, an error in principle in equating his continued denial of cheating with finding that he has failed to meet the good moral character requirement, and that the LSM misinterpreted a statement he made in the July 22, 2025 interview he had with the LSM that he “accepted the LSO’s determination that NEG had distributed prohibited materials to students”.
32. The Appeal Panel notes that, while the Appellant has brought forward several arguments as to why the LSM’s evidence should be given less weight or rejected, he has only brought forward one central explanation for the results of the Caveon forensic analysis of his November 2021 LSO solicitor’s examination. That explanation, as outlined in Page 8 of his Submission, was that NEG’s preparation methods of its students included extensive drills of multiple-choice questions, which would have created similarities in the responses written by NEG students in

the solicitor's examination. He denies having accessed or used the prohibited materials distributed by NEG.

33. The Appellant requests that the decision of the LSM refusing his admission as an articling student be set aside and that he be granted admission. In the alternative, the Appellant requests that his admission be granted subject to any conditions which the Appeal Panel considers appropriate.

### **Position of the Law Society of Manitoba**

34. The LSM's Submission was prepared by its Counsel, Ms. Ayli Klein. Ms. Klein, at Paragraph 4 of her Submission, argues that the Appellant's position that he did not use the prohibited materials is not credible based on the findings of the LSO investigation (including the Caveon forensic analysis). She also takes the position that the Appellant has continued to fail to take responsibility for his actions and fails to meet the good moral character requirement required for admission to the LSM as an articling student.

35. Ms. Klein notes in her Submission at Paragraph 45 that because the Appellant disclosed his involvement in the LSO examination incident and investigation on his application for admission as an articling student in Manitoba, it is considered a "denial or revocation of any licence requirement, the procurement of which required good moral character" which is one of the circumstances which establishes a "rebuttable presumption that a candidate is not of good character and a fit or proper person under Rules 5-4, 5-24(2), 5-28.1, and 5-28.2". Ms. Klein adds at Paragraph 46 that, "in considering whether such a presumption has been

rebutted by the candidate, the Law Society may have regard to the following seven (7) factors:

1. the applicant's candour, sincerity and full disclosure in the filings and proceedings as to character and fitness;
2. the materiality of any omissions or misrepresentations;
3. the frequency and recency of the conduct or behaviour disclosed that gives rise to the presumption;
4. the applicant's current attitude about the subject of their disclosure;
5. the applicant's subsequent constructive activities and accomplishments;
6. evidence of character and moral fitness, including the reasonably informed opinion of others regarding the applicant's present moral character; and
7. in light of the entire record of the applicant, whether admission of the applicant would adversely affect the confidence of the public in the legal profession in Manitoba as an honourable, ethical and competent profession."

36. Ms. Klein notes in her Submission at Paragraph 37 that "The applicable standard of proof is the balance of probabilities, and referenced *The Director of Criminal Property and Forfeiture v. Ramdath et al*, 2021 MBCA 23, Paragraphs 19-20 to demonstrate that the jurisprudence has described the standard as "'more likely than not' and 'sufficiently clear, convincing and cogent' to satisfy the balance, 'as in a scale'". The Appeal Panel agrees with Ms. Klein and her description of this particular standard of proof.

37. Ms. Klein submits at Paragraph 47 of her Submission that the above seven factors are those which the Appeal Panel are to consider in this appeal. The Appeal Panel agrees with Ms. Klein. The Appellant's involvement in the LSO examination

incident included his solicitor's examination and licensing registration process being voided. A requirement for the issuance of a license to practice in Ontario is that an applicant must be of good character, pursuant to Section 8(1) of the LSO's By-law 4. Therefore, the Appeal Panel agrees that the Appellant's disclosure of the investigation was a disclosure of a "denial or revocation of any licence requirement, the procurement of which required proof of good character". The Appeal Panel also agrees that the consideration of this appeal shall follow the seven factors to assess whether the Appellant has overcome the presumption that he is of not good moral character and should be admitted as an articling student in Manitoba.

38. Ms. Klein asks that the appeal be dismissed.

## **VI. Analysis**

### **A. Whether the Appellant has overcome the rebuttable presumption under the Good Character and Fitness to Practice Guidelines**

#### **1. The Applicant's Candour, Sincerity and Full Disclosure in the Filings and Proceedings as to Character and Fitness**

39. The LSM determined, via its letter to the Appellant on August 6, 2025, that the Appellant failed to meet the good moral character requirement because he had cheated on the LSO's November 2021 solicitor's examination. The LSM made this determination on the basis of Caveon's forensic analysis, the LSO's investigation, the Appellant not appealing the LSO's decision, and his continued denial of the

cheating, and failure to take responsibility for his actions. The Appellant has maintained that he did not cheat and did not access the prohibited materials distributed by NEG.

40. In assessing the candour, sincerity, and full disclosure of the Appellant, the Appeal Panel must first consider whether it agrees with the LSM that the Appellant indeed cheated on the November 2021 LSO solicitor's examination based on the relevant evidence which has been made available to it. If the Appeal Panel finds (on a balance of probabilities) that it is more likely than not that the Appellant did not cheat, then his current explanation for his examination result would be seen as credible and would support a conclusion that he displays candour and sincerity as to his character and fitness. If, however, the Appeal Panel does find that it is more likely than not that he did cheat, then his current explanation for his examination result would not be seen as credible. While the Appeal Panel would not be making a finding that the cheating should be equated with a finding that he lacks good moral character, the fact that the Appeal Panel would not see his explanation as credible would support a finding that he is not displaying candour, sincerity, or full disclosure as to his character and fitness.

#### I. The Caveon Forensic Analysis and the LSO Investigative Findings

41. The Caveon analysis found that the Appellant's November 2021 LSO solicitor's examination had a log-likelihood ratio of 2.30 regarding the 18-21 Cheating Key, meaning that it was 199 times more likely that he obtained his examination result by relying on the Cheating Key than by responding independently. The Cluster index value was 34.27, meaning that the Appellant's examination result was "so

similar to a cluster of other candidates that there is only a chance of one in over a thousand quintillion of observing the result under assumptions of independent test-taking”, as stated in the Caveon analysis. Ms. Klein, at Paragraph 32 of her Submission, argues that “It is overwhelmingly more likely that [the Appellant] utilized the cheating key than that he did not”. She also makes note at Paragraph 34 of the Appellant’s continued denial of any wrongdoing.

42. The LSM’s determination on August 6, 2025 was also influenced by the overall findings of the LSO investigation. The LSO investigation has been extensive. The LSO’s Director of Licensing and Accreditation informed the Appellant via letter on July 14, 2022, that it had received information that examination misconduct had been facilitated by NEG. The LSO received four cheating keys which mapped directly to the November 2021 solicitor’s examination. The evidence obtained by the LSO was that the cheating keys were distributed to students in advance of the November 2021 licensing examinations via NEG social media groups and email. The Appellant was a member of several of the NEG social media groups.

43. On August 31, 2022, the LSO deemed the Appellant’s November 2021 solicitor’s examination and licensing process to be void. The LSO advised the Appellant that “the evidence suggests that before, during, or after a licensing examination, you possessed, used, or consulted an unauthorized source or information obtained from an unauthorized source and/or failed to advise the LSO in writing immediately once you became aware of the existence of such content, the use of same by another candidate, or the promotion or distribution of an unauthorized source by any entity or person.” Such actions would be considered “prohibited actions”. The LSO further informed the Appellant that, in engaging in those

prohibited actions, he made a false or misleading representation in connection with his examination application and registration form for licensure, which are prohibited by Sections 14(2) and 18(2) of LSO By-law 4, respectively

44. While no finding of good character has been made yet by the LSO, there remains an ongoing investigation by the LSO into his good character, and no finding has been made because they have not reached that stage of the investigation, given that the Appellant has yet to complete all required qualifications of the LSO licensing process. The Appellant argued in his Submission on Page 18 that it is an error in law to use forensic similarity (that was used for an administrative penalty) to make an assessment that he lacks good moral character. However, that argument that the forensic analyses conducted by Caveon cannot be later used in determinations of good moral character is unsupported by the available jurisprudence. Just because the LSO has not yet made a finding as to good moral character with respect to the Appellant, and has only made an administrative decision, does not mean that the LSM cannot. Ms. Klein, in her Submission at Para 23, noted that “Mr. Abdullah has been reinstated by the LSO, but they have an open investigation into his character. LSO has yet to make any finding as to his character *because they have not reached that stage in their investigation*. The decision at issue in this appeal was the first opportunity for either Law Society to consider whether Mr. Abdullah ought to be admitted to the profession.”

45. The Appeal Panel also notes that in the July 14, 2022 letter from the LSO’s Director of Licensing and Accreditation to the Appellant, the Director advised the Appellant that based on its assessment, “the Licensing Department has determined that the evidence obtained to date **strongly supports** the conclusion that you

breached the Applicable Rules by engaging in prohibited actions regarding the November 2021 licensing examinations.” [Emphasis Added]

46. The Appellant argued in his Submission in Pages 9-12 that the determination made by the LSM that he cheated cannot be made solely on forensic similarity, or solely on his “passive” membership in the NEG social media groups. He noted Paragraph 40 of the *Kaur v. Law Society of Ontario* 2025 ONLSTH 108 (CanLII) decision, wherein the Tribunal noted that Caveon had cautioned the LSO not to presume that a candidate cheated based on statistical irregularities alone, but should look for other indicators such as “a candidate receiving a cheat key would be one such indicator.” However, this was only one example given by Caveon in that case, and was not a required piece of evidence. The Tribunal in *Kaur* ultimately found that Ms. Kaur had cheated on the LSO barrister’s examination based on an analysis of a number of contextual factors specific to Ms. Kaur’s case.

47. The Appellant specifically argued in Page 9 of his Submission that passive membership in the NEG social media groups should not constitute evidence of misconduct “without proof of active participation, intent, or wrongful conduct”. The Appellant cited other jurisprudence to support his argument that there must be additional corroborative evidence, including *Dunlop and Sylvester v. The Queen* [1979] 2 SCR 881 and *Pridgen v. University of Calgary* 2012 ABCA 139. In the *Pridgen* decision, the Court of Appeal found that the appellants could not be held liable for the comments made by other students in the same online Facebook forum. This case is not one in which liability is being assigned to someone for the actions or comments of others. A forensic analysis and investigation have been conducted specific to the Appellant’s examination result.

The *Dunlop and Sylvester* decision was a criminal matter, which includes a higher standard of proof of beyond a reasonable doubt. Therefore, the Supreme Court of Canada required not only mere presence at a crime scene, but evidence as to knowledge of the offence and intentional assistance or encouragement. Such a standard does not apply in this matter. On that note, as stated by Ms. Klein in her Submission at Para 38, “regulatory offences including academic misconduct such as exam cheating are long-held to be strict liability offences.” Therefore, evidence of intent, or *mens rea*, of the cheating is not necessary to have been found by the LSM or by the Appeal Panel. This might include evidence of the Appellant having accessed and/or utilized the cheating keys. Only proof of the misconduct on a balance of probabilities is required.

48. The Appeal Panel does not accept the Appellant’s argument that the LSM relied solely on either the Caveon forensic analysis or the LSO investigation, given that, in its letter to the Appellant dated August 6, 2025, the LSM stated that it relied on multiple factors to conclude that the Appellant had cheated. The Appeal Panel does accept, however, that Caveon’s forensic analysis presents a very credible, scientific explanation in favour of a conclusion of cheating.

## II. Appellant’s Explanations for the Caveon Forensic Analysis and the LSO Investigative Findings

49. Handwritten notes by Ms. Holmstrom from the interview between the LSM and the Appellant on July 22, 2025 indicates that the Appellant, at the time, took a strong stance that he had not accessed or nor received anything which may be inappropriate. The notes contained excerpts such as: “Maintains he didn’t have inappropriate material going into exam,” “He denies he had answers from NCA

Guru,” “Didn’t have these papers, not even inadvertent,” “Took exam without even materials. Just guessed a lot and used memory”.

50. On Page 4, Section 1(a) of the Appellant’s initial Notice of Appeal (dated August 16, 2025) contained in the Record, he provides a different explanation for the forensic similarity found in the Caveon analysis:

“Upon reflecting and looking back, I can assume how the structured, planned teaching style and extensive MCQS [Multiple-Choice Question] drills at NEG may have contributed to my unintentional similarities in part 2 of the exam. Instructors frequently reinforced learning by encouraging standardized associations, such as ‘If we say A is for doctor, write it as it is... This persistent, repetitive, and uniform training and drills on MCQs could easily result in similar answers without any awareness, intent, or knowledge of wrongdoing on my part...”

51. In his Submission on Page 7, the Appellant makes a similar explanation:

“...I assume that any similarity in my exam responses is much more plausibly explained by NEG common preparatory practices. Studying the same recorded lectures, which included practice questions, can naturally lead to similar answers and even repeated errors, without any intentional misconduct...”

52. However, by the time that the Appellant had filed his additional Reflection Letter with the Appeal Panel, his tone appeared to have changed with regard to his explanation, even though he continued to deny intentional misconduct. As he states on Page 1: “With deep humility and sincerity, I want to reaffirm that I take

full responsibility for the outcome related to the November 2021 solicitor's examination and the consequences that followed...".

### III. Analysis of Appellant's Explanations

53. While his explanation has somewhat evolved over time, it appears clear, though, from the Appellant's submissions that he continues to deny having cheated on the November 2021 LSO solicitor's examination. The Law Society of Ontario Tribunal in *Kaur* also addressed the issue of an LSO examination candidate who was a member of the NEG social media groups, and considered the issue of credibility. As stated in Paragraph 3 of the decision, Ms. Kaur admitted to receiving two of the cheating keys through the NEG social media groups and admitted to using them, but claimed not to have meant to have cheated. Ms. Kaur argued that, "the fact that the questions on the exam were practically identical to the questions on the cheat keys was pure coincidence. She never formed the intention to cheat on her exam."

54. In determining whether or not to accept that Ms. Kaur genuinely believed that she did not cheat, the Tribunal (at Paragraph 64) applied the test in *Faryna v. Chorny* 1951 CanLII 252 BCCA at page 356. The test to determine the validity of evidence, as stated by the Court in *Faryna* was: "...whether the evidence is consistent with the probabilities affecting the case as a whole and shown to be in existence at the time." The Tribunal in *Kaur* applied this test to determine that Ms. Kaur had cheated and had done so willingly (Paragraph 66).

55. The Appeal Panel does not find the Appellant's evolving explanation for the forensic similarity and findings of the LSO investigation to be credible nor

consistent with the probabilities affecting the case and in existence, and finds that the LSM's reliance on Caveon's analysis is more credible. The Appellant's central explanation for the forensic similarity is that NEG would prepare students by having them study the same lectures and complete the same practice exam questions. The Appellant could have supported this explanation by providing copies of his study materials as evidence. However, as he states in his Submission at Page 4, after completing the November 2021 LSO solicitor's examination, he "disposed of physical notes in January 2022 while relocating homes between Pakistan and Canada due to luggage constraints."

56. The Appellant's explanation also conflicts with those of at least three other witnesses whose evidence given to the LSO was contained in the LSO's letter to the LSM of June 19, 2025. That includes Ms. Lorena Lopez Gallegos, who admitted that "the 18-21 cheating key was provided to her by NEG after the start of the examination window but in advance of her November 2021 solicitor examination." The Appellant's explanation also conflicts with explanations given in the available jurisprudence, including in *Kaur*. As stated in Para 3 of the decision, Ms. Kaur, an LSO candidate who took the November 2021 LSO barrister's examination and was a member of the NEG Whatsapp and Skype social media groups, admitted to receiving two cheating keys which were circulated by NEG.

57. The Appeal Panel notes that in the June 19, 2025 letter from the LSO to the LSM, the LSO stated that the 18-21 cheating key matched to Version 1, Part 2 of the November 2021 solicitor's examination, and contained "no questions but answers to all but 19 of the operational questions and 2 of the experimental questions". That is a total of 21 questions, and the Appeal Panel, upon reviewing the

November 2021 solicitor's examination, notes that Part 2 is 80 questions (160 total questions in Parts 1 and 2 combined), meaning that the cheating key had answers to most of Part 2 of the examination. The Appeal Panel reviewed the cheating keys and confirmed that there were no questions contained in them. It is therefore hard to believe that a group of NEG students could have the same examination results based on completing the same practice questions when there were no questions associated with the answers in the cheating key. Furthermore, the Appeal Panel questions how their answers could be aligned when the November 2021 solicitor's examination questions would have been unknown to them going into the examination, unless they had accessed the cheating keys. It is also important to note that the licensing examinations were open-book, meaning that the candidates could have had the cheating keys with them during the examination.

58. The Appeal Panel finds that the most significant factor in concluding that the Appellant is not telling the truth, is that Caveon's forensic analysis found that the Appellant's examination result was "so similar to a cluster of other candidates that there is only a chance of **one in over a thousand quintillion** of observing the result under assumptions of independent test-taking" [Emphasis Added]. Of the probabilities affecting this case, this is the most likely one for the examination result.

59. The Court in *Mirza v. Law Society of Ontario* 2023 ONSC 6727, at Para 19, concluded that, "Whatever questions or issues might be raised with respect to the Caveon report, Caveon was an independent entity with expertise in detecting examination fraud. For the limited purpose of determining who should re-write an exam, it was certainly reasonable for the LSO to rely upon the Caveon report."

It should be noted that the *Mirza* decision involved the case of an examination taker who was found in the forensic analysis to have been 145 times more likely to have used a cheating key, while the Appellant is even higher, at 199 times more likely.

60. The decision made by the LSM, as evidenced by its letter of August 6, 2025, stated that their decision was based on, “Caveon’s forensic analysis, based on the extensive investigation conducted by the LSO and by your failure to challenge such findings.” Ms. Klein at Paragraph 50 of her Submission, also argues that “the Society does not rely on Mr. Abdullah’s ‘passive’ membership in the NEG groups alone, nor on the statistical findings of Caveon alone, in determining that he lacks the good character for admission. Without the corroborative evidence of his NEG group membership (where he had access to the materials), the examination results alone would arguably have not been enough to justify the actions taken by Ontario. It is in concert that these factors form the undeniable conclusion that Mr. Abdullah must have utilized the prohibited materials...”

61. The Appeal Panel accepts that the LSM considered multiple indicators in making its decision, and there was not sole reliance on any of the factors which led to the finding of cheating. In addition to the Caveon analysis, the evidence given by other witnesses to the LSO, the evidence given by other exam takers in the available jurisprudence, the LSO investigative findings that the cheating keys were distributed through the NEG social media groups, and the admitted evidence that the Appellant was a member of all of NEG’s social media groups, clearly satisfies on a balance of probabilities, that it is more likely that the Appellant used the cheating keys in completing the November 2021 LSO solicitor’s examination. The LSO investigation proves that cheating instruments were distributed to those

who were members of the NEG social media groups, which would include the Appellant, and the statistical similarity in the Caveon analysis fills in the gap as to whether the cheating instruments were utilized by the Appellant. The Appellant cannot explain away this statistical similarity, and his explanation for the statistical similarity lacks credibility.

62. It is important to note that even if the Appellant was just a “passive member” in the NEG social media groups who does not actively send messages through the groups or communicate with other members, the evidence of the LSO investigation confirmed that prohibited materials were distributed in these groups, and a passive member would still have known this, as a member of a social media group would still receive notifications of any messages or materials sent through the group. It is an equally serious Prohibited Action (pursuant to LSO By-law 4) for a licensing candidate to fail to report to the LSO that others are inappropriately accessing examination content.

63. The Appeal Panel therefore concludes that, based on the available filings and the proceedings, the Appellant has not displayed candour, sincerity, or full disclosure as to their character and fitness. This is because the Appeal Panel has found that, on a balance of probabilities, it is more likely than not that the Appellant cheated on the November 2021 LSO solicitor’s examination (as supported by the Caveon analysis and LSO investigation), and the Appellant has not admitted to the cheating, nor has disclosed a credible alternative explanation which would be consistent with the probabilities affecting this case. As previously mentioned, and contrary to the Appellant’s argument in Pages 18-20 of his Submission, the Appeal Panel is not equating evidence of the Appellant’s cheating with lack of good moral character, but it is an evaluation of the credibility of his explanation.

#### IV. The Appellant Did Not Appeal the LSO's Decision

64. The LSM's determination had also been influenced by the fact that the Appellant did not appeal the LSO's decision to void his solicitor's examination and his licensing process. The Appellant has argued in his Submission at Pages 12-15 that his decision not to challenge the LSO's decision should not be considered as evidence of misconduct or lack of good character. Ms. Klein, in her Submission at Para 51, argues that "The Society does not rely on the Appellant's failure to challenge Ontario's process in the present determination. It is simply a fact of how the events progressed, and one factor to consider."

65. The Appeal Panel does not agree that the Appellant's failure to appeal the LSO's decision was not relied upon at all by the LSM in its determination that the Appellant had cheated on the LSO solicitor's examination. The decision of Ms. Stonyk on August 6, 2025 states that the Appellant's failure to challenge the findings was a factor in making the finding that the Appellant had cheated. However, the Appeal Panel accepts the LSM's argument that it was only "one factor to consider", in concert with other meaningful evidence. Much like the other factors relied upon by the LSM in making its determination of cheating, they were considered collectively.

66. The Appeal Panel does not find that the Appellant's failure to appeal the LSO's decision was determinative in the LSM's finding of cheating. However, given that the Appeal Panel has found that the Appellant did cheat on the November 2021 LSO solicitor's examination, his reasons given for not appealing the LSO's

decision further support the Appeal Panel's finding that the Appellant has failed to display candour, sincerity, and full disclosure as to his character and fitness.

67. The Appellant presents conflicting reasons for why he did not appeal the LSO's decision. Handwritten notes taken from the July 22, 2025 by the LSM of the Appellant, the Appellant stated that he "didn't request review, didn't want to go against LSO because they are watchdogs...because respected as regulator". The notes also stated that the Appellant said that he "accepts LSO's findings about NCA Guru but not about him specifically," yet "still decided not to request a review because he respects LSO as regulator but didn't want to go against them....didn't want to put energy into fighting them".

68. In the Appellant's Notice of Appeal, Page 5, Section 1(b), the Appellant explained his failure to challenge the LSO's decision by now adding reasons related to the cost and time which would be involved in seeking a review of the LSO's decision:

"...As a candidate who has always respected the authority of regulatory bodies, I recognized that pursuing an internal review would require substantial resources, such as retaining legal counsel, obtaining access to and analyzing complex forensic data, and addressing the involvement and influence of third-party tutorial services. These steps would have been costly and time-consuming, especially for a student. At the time, I believed that accepting the administrative outcome, including a one-year pause, was a more pragmatic way to move forward with my career and life. My decision not to seek an internal review was not an attempt to avoid responsibility or accountability. Rather, it was a pragmatic choice considering circumstances arising from my reliance on third-party tutorial services and the considerable challenges associated with contesting the decision.

My intention was always to respect the authority of the regulatory body and not to avoid accountability, but to make a practical choice given the circumstances.”

69. On Pages 12-15 of the Appellant’s Submission, he makes a similar explanation for not choosing to seek a review of the LSO’s decision, but also adds that he was dealing with a number of personal challenges around that time which influenced his decision not to seek a review. The Appellant also added on Page 14 that he had limited understanding of the review process and its implications, which also influenced his decision not to seek a review, stating, “Further, as a student, I acknowledge my limitations in understanding the complexities of the regulatory process and the broader implications of administrative decisions. My compliance with the administrative outcome reflected my limited understanding of its long-term consequences and was not an acknowledgment of wrongdoing or intent.”. This would appear to conflict with his other statements in his Submission about how his “decision not to pursue an internal review was a pragmatic and reasonable choice during exceptional circumstances” (Page 15 of the Appellant’s Submission).

70. The decision of the Appellant not to appeal the LSO’s decision is not significant enough on its own to substantiate the LSM’s determination that he cheated. However, the Appeal Panel does not find the Appellant’s explanations for not appealing the LSO’s decision to be clear nor credible. Without a clear, consistent explanation from the Appellant as to why he did not appeal the LSO’s decision (and is only choosing to appeal the LSM’s decision now), the Appeal Panel cannot find that he has shown candour, sincerity, and full disclosure as to his character and fitness.

V. The Appellant Has Continued to Deny Cheating and Failed to Take Responsibility for His Actions

71. The LSM's determination of cheating was also influenced by the Appellant's continued denial of the cheating and failure to take responsibility for his actions. At Pages 15-18 of his Submission, the Appellant argued that the LSM erred by equating his denial of intentional wrongdoing with a finding that he does not meet the good character requirement. The Appellant cites the Supreme Court of Canada decision in *Groia v. Law Society of Upper Canada* 2018 SCC 27 to support his argument that disagreement or denial of allegations cannot be equated with misconduct. *Groia* addressed whether allegations made by Mr. Groia were misconduct, and the Supreme Court of Canada concluded that making allegations of misconduct in good faith, even if mistaken, does not automatically amount to professional misconduct.

72. The Appeal Panel does not find the decision in *Groia* to apply in this appeal. The Appellant, unlike Mr. Groia, is denying *his* misconduct without a credible explanation. The LSO's investigation found that the evidence supported that the Appellant had engaged in prohibited actions regarding the November 2021 solicitor's examination. As Ms. Klein argues at Paragraph 52 of her Submission, "having utilized prohibited materials to prepare for a licensing exam goes directly to one's integrity, 'the fundamental quality of any person who seeks to practice as a member of the legal profession'".

73. The Appellant's solicitor's examination result and licensing process were both voided in 2022. Three years later, following a period during which he claims to have committed himself to professional development and community service (as

he notes in his Submission in Pages 20-22), the Appellant could have taken the opportunity in his application for admission as an articling student in Manitoba, to have offered an alternative explanation other than the one that his November 2021 solicitor's examination result was a coincidence due to NEG's teaching style, including extensive drills of multiple-choice questions. However, he did not do so, nor has he chosen to do so in this Appeal.

74. While the Appeal Panel does not find that the Appellant's continued denial of cheating to have been determinative in the LSM's finding that the Appellant cheated, the fact that he has not offered a credible explanation for his examination result is important in its determination as to the candour, sincerity, and full disclosure as to his character and fitness. The Appeal Panel, finds the Appellant's failure to provide a credible explanation to support a failure to display candour and sincerity as to what really occurred with respect to the November 2021 LSO solicitor's examination.

75. The Appeal Panel notes that the Appellant's explanation, which denies cheating, goes beyond his own misconduct, but that of other students. The Appellant raises at Pages 22-23 and 25-26 of his Submission that there was a misinterpretation of his comments made in his interview with the LSM on July 22, 2025. He claims that, despite what was stated in Ms. Stonyk's letter to him of August 6, 2025, he never stated in his interview that he "accepted the LSO's determination that NEG had distributed prohibited materials to students". Rather, he states that he was asked whether the LSO had taken the right steps against NEG, to which he agreed. The Appellant's recollection of this part of the interview appears to be accurate. Both the handwritten and typed notes of Ms. Holmstrom contain no excerpt in which the Appellant is said to have agreed with the LSO's

determination that NEG distributed prohibited materials to students. They do contain an excerpt that the Appellant “accepts LSO’s findings about NCA Guru but not about him specifically”.

76.Regardless, it is highly problematic that the Appellant would now, in his Submission, attempt to deny the fact that NEG had distributed materials to students, as such a statement conflicts with admissions from other students that NEG distributed prohibited materials, such as in the *Kaur* decision. In addition, in making this statement, the Appellant continues not to provide any credible explanation to contradict a finding of his cheating on the solicitor’s examination. It also somewhat conflicts with his statement in his Reflection Letter in which, on Page 1, he takes “full responsibility for the outcome related to the November 2021 solicitor’s examination and the consequences that followed,” without actually going into any detail as to what he was admitting. This gives the impression to the Appeal Panel that the Appellant was making an admission of responsibility without actually making an admission.

77.The Appellant’s explanation is simply not credible in light of overwhelming evidence from the Caveon analysis and LSO investigation. Without a credible explanation, there is no way the Appeal can assess the Appellant’s candour, sincerity, and full disclosure favourably. Were the Appellant to admit to his misconduct or provide a credible explanation, it would give him the opportunity to demonstrate candour and sincerity and to take steps to rehabilitate his conduct.

## **2. The materiality of any omissions or misrepresentations**

78. Section 2.1-1 of the Law Society of Manitoba's *Code of Professional Conduct* discusses the importance of a lawyer acting with integrity, so as to inspire the confidence of the public. The commentary of this section also highlights how public confidence can be damaged by a lawyer's irresponsible conduct. The commentary includes the following at Parts 1 and 2:

“[1] Integrity is the fundamental quality of any person who seeks to practise as a member of the legal profession. If a client has any doubt about his or her lawyer's trustworthiness, the essential element in the true lawyer-client relationship will be missing. If integrity is lacking, the lawyer's usefulness to the client and reputation within the profession will be destroyed regardless of how competent the lawyer may be.

[2] Public confidence in the administration of justice and in the legal profession may be eroded by a lawyer's irresponsible conduct. Accordingly, a lawyer's conduct should reflect favourably on the legal profession, inspire the confidence, respect and trust of clients and of the community, and avoid even the appearance of impropriety.”

79. The Appeal Panel accepts the submission by the LSM at Paragraph 56 of Ms. Klein's Submission that it is a material misrepresentation for the Appellant to deny to have cheated on the November 2021 LSO solicitor's examination. Cheating is serious misconduct and raises concerns about the honesty and integrity of the applicant and their ability to act with honesty and integrity, which as the LSM stated in its Letter of Decision “are cornerstones of being a member of

the legal profession”. Were the LSM to admit someone who had concerns related to their honesty and integrity, it would compromise its ability to regulate the profession in the public interest.

**3. The frequency and recency of the conduct or behaviour disclosed that gives rise to the presumption;**

80. The Appellant continues to deny cheating on a solicitor’s examination which was written only four years ago, and has continued to provide no credible explanation. He also continues to deny the cheating of other exam takers. The Appellant’s conduct giving rise to the presumption that he is not of good moral character is therefore continuing and has not been remedied.

**4. The applicant’s current attitude about the subject of their disclosure;**

81. If the Appellant does not accept responsibility or provide a credible alternative explanation, then the Appeal Panel concludes that there is no certainty which the Appellant can provide that he has truly learned from his mistake and that he would avoid falling into the same or similar behaviour in the future if admitted to the profession. In his Reflection Letter, the Appellant refers to taking “full responsibility for the outcome related to the November 2021 solicitor’s examination,” yet makes no disclosure as to what he actually did.

**5. The applicant's subsequent constructive activities and accomplishments:**

82. The Appellant has mentioned in his Submission some examples of the good conduct he has shown since the solicitor's examination. His list, on Pages 21-22 of his Submission, includes:

- “Compliance with the LSO administrative sanction
- Successful completion of the CPLED program without ethical concerns.
- Regular mentorship from senior legal professionals.
- Supported and engaged in community gatherings and events.
- I have maintained a spotless record, no criminal or disciplinary issues, a perfect driving record, and an 800+ credit score.
- Throughout my employment, including work within a family-related business, I have maintained excellent professional relationships. There have been no complaints or issues raised by clients or colleagues regarding my conduct, reliability, or teamwork.
- Through work with Uber and Lyft, I regularly interact with diverse members of the public, have received hundreds of rides without any complaints, and have consistently maintained a high customer rating. Such public-facing roles reflect direct trust and positive feedback from the public and community.
- Throughout my career and academics, I have no issues except this administrative sanction. I have always been in good standing
- Completion of an ethics course (Ethics for Legal Professionals)
- Active volunteer work, including with Habitat for Humanity and as a legal assistant with Right to Live Canada, and by participating in community events.”

83. The Appellant argues in Pages 20-21 of his Submission that the LSM “erred by focusing only on his 2021 administrative sanction and not meaningfully assessing my present conduct and fitness for admission.” He cites jurisprudence such as *Watt v. Law Society of Upper Canada*, 2005 CanLII 21111, which speaks to ensuring that a reasonable decision consider whether an applicant is currently of good character, though the Court in *Watt* was reviewing the decision of a Law Society Appeal Panel which was using different factors to assess an application for readmission following a disbarment. He also notes that more recently, he has successfully completed the CPLED program and has “a complaint-free employment record, and my standing as a trustworthy and responsible member of the community with no criminal record or other societal red flags”.

84. While the Appellant’s accomplishments following the November 2021 solicitor’s examination are commendable, none of the work conducted has been in regard to taking responsibility regarding the cheating or providing a credible alternative explanation and working to rehabilitate himself with specific regard to that misconduct. The Appeal Panel does not accept the Appellant’s explanation as to the misconduct, and therefore does not find that he has addressed the November 2021 conduct which has led to the presumption that he is not of good moral character and fitness.

85. In his Reflection Letter and Additional Submission, the Appellant affirms that he takes “full responsibility for the outcome related to the November 2021 solicitor’s examination and the consequences that followed”. Yet, nowhere in the seven pages of those submissions does the Appellant provide a credible explanation for the forensic similarity and other findings of the LSO investigation, nor does he take responsibility for cheating. It appears that the Appellant is remorseful for

what has happened based on the statements in his Reflection Letter (“I am genuinely remorseful that my choices, lack of vigilance placed me in a situation that I should have recognized and avoided”). There may even be a slight acknowledgment to having access to the prohibited materials (“During that time, being occupied with my sister’s marriage preparations, I relied too heavily on the tutors’ instructions without sufficiently scrutinizing their methods or materials”). Yet the Appellant does not specify any misconduct for which he is remorseful and continues to take the position that there was no deliberate wrongdoing on his part. It is of note that in *Watt*, Mr. Watt had taken remedial action and had admitted that the misconduct at issue was due to his own negligence (even if not admitting to misappropriation). In this Appeal, the Appellant has neither admitted to any sort of inappropriate action on his part or to the involvement of the prohibited examination materials.

86. The Appeal Panel finds the Appellant’s continued lack of honesty and integrity following the November 2021 solicitor’s examination outweighs any constructive activities and accomplishments which he completed in the last four years.

**6. Evidence of character and moral fitness including the reasonably informed opinion of others regarding the applicant’s present moral character; and**

87. The Appellant has submitted five (5) reference letters provided by referees who are supportive of him and his character. He has also submitted in the appendices of his Submission a Certificate of Completion on an Ethics for Legal Professionals course offered by My Safety Prep, a Volunteer Service History Record with Habitat for Humanity, and a Certificate of Completion from the

Ontario Human Rights Commission as to completion of a course regarding the Ontario *Human Rights Code* and the *Accessibility for Ontarians with Disabilities Act*. In addition, the Appellant has submitted a letter has been provided by the Punjab Bar Council, indicating that he is in good standing within their jurisdiction.

88. Only one of the submitted reference letters referenced the sanctions which the Appellant received from the LSO. The referee, Mr. Asadullah, states:

“Muhammad was transparent in sharing the details of his administrative sanction from the Law Society of Ontario when I began mentoring him. He demonstrated accountability and remained receptive to career guidance, showing a clear commitment to professional growth.”

89. While Mr. Asadullah does address his opinion as to the Appellant’s character, the Appeal Panel does not interpret this letter as an informed reference as to how the Appellant has demonstrated accountability and improvement regarding the prohibited actions which led to the administrative sanctions. This is because the Appellant has not admitted to such misconduct either to the LSO or the LSM. There is also no indication from the letter that the Appellant has admitted such misconduct to Mr. Asadullah, and the letter was likely written under the impression given to Mr. Asadullah by the Appellant that he had not cheated. The Appeal Panel therefore finds little relevance in the reference letters nor any of the certificates.

**7. In light of the entire record of the applicant, whether admission of the applicant would adversely affect the confidence of the public in the legal profession in Manitoba as an honourable, ethical and competent profession.**

90. Ms. Klein, in her Submission at Para 53, cites the decision of *Bergen v. Law Society of Manitoba* 2016 MBLS 15 to argue the point that “the confidence of the public in our profession would be negatively affected if Mr. Abdullah were admitted in the current circumstances,” which goes to the mandate of the LSM. In the *Bergen* decision, at Para 102, the Admissions and Education Appeal Panel stated: “Admissions departments of Law Societies across this country carry the burden of being gatekeepers. Good character standards are a preventative measure, to guard against the damage that rogue lawyers can and all too frequently do inflict upon the public at large and the reputation of the legal community. Vigilance remains essential for both the protection of the public and the maintenance of the public trust.”

91. The Appeal Panel finds that it would seriously damage the confidence of the public in the Manitoba legal profession if someone who was found to have cheated on a licensing examination was admitted to the profession without having admitted to the wrongdoing or provided a credible alternative explanation. The Appeal Panel is not as concerned with the instance of cheating as it is with the Appellant’s failure to admit to the cheating, express remorse, and take remedial steps to ensure that it doesn’t happen again. The Appellant’s refusal to acknowledge responsibility for his actions goes to his lack of integrity, and makes it difficult for him to be admitted to the profession without creating a serious, and perhaps irreparable, adverse impact on the confidence of the public in the Manitoba legal profession.

**B. Has the Appellant discharged his onus to establish on a balance of probabilities that he is presently of sufficient good moral character, and otherwise a fit and proper person, to be granted admission to the LSM as an articling student?**

92. The Appeal Panel finds that it is more likely that the Appellant cheated on the November 2021 LSO solicitor's examination, as supported by the Caveon forensic analysis of his examination result and the LSO investigative findings, than it is that the Appellant achieved this result by coincidence due to NEG's teaching style, including extensive drills of multiple-choice questions with his tutoring service, NEG.

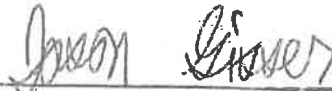
93. The Appeal Panel therefore finds, based on an analysis of the seven factors contained in the LSM's *Good Character and Fitness to Practice Guidelines for Applications Under Rules 5-4, 5-24(2), 5-28.1 and 5-28.2*, that the Appellant has not discharged his onus on a balance of probabilities that he is sufficiently of good moral character to be granted admission to the LSM as an articling student.

**C. Decision**

94. The appeal is dismissed. The Appeal Panel upholds the decision of the LSM, dated August 6, 2025, and refuses admission as an articling student in Manitoba to the Appellant. The Appellant had requested on Page 3 of his Submission that, in the alternative to his requested remedy of setting aside the refusal and granting him admission, that the Appeal Panel grant him admission subject to any conditions which the Panel considers appropriate. The Appeal Panel does not find that there are any conditions which would be sufficient for the Appellant to be granted admission as an articling student.

January 13, 2026

**Unanimous Decision of the Panel**



Jason Gisser, Chairperson



Clair Cerilli, Practising Member



Sandra Oakley, Public Representative